



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ENVIRONMENTAL SERVICES DIVISION
60 WESTVIEW STREET, LEXINGTON, MASSACHUSETTS 02173-3185

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CONTAINS ENFORCEMENT-SENSITIVE INFORMATION



SDMS DocID 270178

MEMORANDUM

DATE: JUN 16 1995

SUBJECT: Request for a Removal Action
Johns Manville Manufacturing Plant Site
Nashua, New Hampshire - **Action Memorandum**

FROM: Paul R. Groulx, On-Scene Coordinator
Emergency Planning and Response Branch
Site Evaluation and Response Section I

Paul R. Groulx

TO: John P. DeVillars,
Regional Administrator

THRU: Edward J. Conley, Director
Environmental Services Division

Edward J. Conley

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of the proposed Removal Action described herein for the Johns-Manville Manufacturing Plant Property Site (Site) located in the City of Nashua, New Hampshire.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID#: NHD001085372
Site ID#: 2J
Category: Time-critical

A. Site Description

1. **Background**

The property is the abandoned former Johns Manville Company asbestos manufacturing facility. According to town records, the Site was originally occupied by the Whitney Soapstone Works. The Johns Manville Company began operations at the Site in 1900. The company combined asbestos fibers with cement and produced sheets of insulating materials and industrial insulation products.

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ATTACHMENT A



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The original building was expanded six times from 1900 to 1941. In 1910, the company built an additional building at 10 Sanders Street.

The plant produced waste materials as a result of its production process consisting of quality rejects, sludge and baghouse dust materials and other sheet material. The material was stored by the company and made available to surrounding property owners as free fill material. The fill was used at numerous properties in surrounding communities over a number of decades. Conservative estimates place the total of fill material used in excess of 400,000 tons. The free fill policy was terminated in the early 1970's as a result of federal regulations concerning the use of asbestos-containing products.

In December 1985, the Johns Manville plant ceased production of asbestos-containing products, eliminating asbestos as a raw material for its products.

During the mid 1980's, the Johns Manville Corporation, beset by lawsuits seeking cost recovery for clean-up and removal of asbestos products at sites throughout the country, sought protection in bankruptcy court. In December 1987, the Nashua plant was sold to the Tamposi Family Investment Properties of Nashua, New Hampshire. Additional properties owned by Johns Manville, on Belnap Street, across Bridge Street from the Site and adjacent to property next to Boston and Maine Railroad property, were also included in this transaction. The deed for this transaction, and all subsequent transactions regarding the Site properties, states that the Site building contains asbestos and asbestos materials. The plant was leased to BNZ Materials, Inc, who continued to produce non-asbestos insulating products at the site until June of 1990. At that time, the manufacturing facility was shut down and manufacturing equipment was acquired and removed from the Site buildings by BNZ. The Site buildings have not been used for any manufacturing activities since that time. Also the property taxes for the Site have not been paid to the City of Nashua (the City) and the building has begun to deteriorate due to lack of activity.

During 1992, the Site buildings at 40 Bridge Street and 10 Sanders Street were sold twice: first by Tamposi Family Investment Properties to William P. Martin Jr. of Hudson, New Hampshire, and then to Mr. Steven Draper of Winthrop Massachusetts. According to property deeds, the delinquent real estate taxes and knowledge of asbestos content in Site buildings were terms of both transactions.

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Since Site ownership was transferred to Mr. Draper, the City's concerns regarding the safety of the Site have increased. Property taxes have not been paid, and the sprinkler systems in the buildings no longer operate. Mr. Draper and his agents have removed some of the remaining equipment and sold it for salvage. Included in this salvage operation was the removal of four of the seven large board impregnating vessels from the 40 Bridge Street building. Large amounts of asbestos insulating materials used to insulate these vessels have become exposed and still remain in the impregnating tank room. These salvage operations and the continued deterioration of the Site buildings, have increased the City's concern for the region's safety in the event of a fire at the building. The City obtained several court orders in an attempt to force Mr. Draper to address their concerns regarding building and Site conditions, all of which were ignored.

On February 2, 1995, the Site was sold by Mr. Draper to Mr. Joseph O'Murphy of Woburn, Massachusetts who is an associate of Mr. Draper. Mr. O'Murphy has also continued to ignore the City's court orders addressing safety concerns at the Site.

2. Physical Location and Site Characteristics

The Johns Manville Property Site is located at 40 Bridge Street and 10 Sanders Street in Nashua, Hillsborough County, New Hampshire. The 121,294 square foot (approximately 4 acres) parcel of land includes two vacant warehouses (City of Nashua Assessor's map 39, lots 5 & 32). The topography is generally level. The Site is bordered to the north by the Nashua River, which flows into the Merrimack River, to the east by further industrial properties followed by the Merrimack River, to the south by Bridge Street, and to the west by Boston and Maine railroad tracks.

Site access is limited. An eight-foot high chain link perimeter fence has recently been installed by the City. Despite this fence, EPA observed trespassers during a recent Site investigation. Upon arrival to perform the Site assessment, several intruders were observed leaving the rear of the building through a hole cut in the chain link fence. Tools and salvaged materials were observed by the exit door.

The building's structural integrity is questionable. Due to severe winter damage from roof leakage and old timbers, large sections of floors along with roof sections are deteriorating with advance rot in much of the wood structure. A large portion of roof has recently collapsed. Based on a recent structural inspection and assessment performed on October 10, 1994 by an engineering consultant hired by the city of Nashua, the city

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alderman council, at the recommendation of the building inspector, has condemned the building.

The population within a one-mile radius of the Site is approximately 13,440. Within this radius, there are 13 schools (day care, kindergarten, elementary and high schools), 1 hospital and 13 housing units (elderly, low income and half way homes). The neighborhood consists of a low income residential area and light industry. The Thoreau Landing housing development, located to the north, is approximately 700 feet directly across the Nashua River from the Site. This 60-unit apartment complex is comprised of two bedroom units, and accommodates a population of approximately 200 residents.

3. Removal Site Evaluation

The Site was brought to the attention of EPA's Air Division by the State of New Hampshire (NH) Air Resource Division on April 26, 1995 as a result of a PCB leaking transformer at the facility. On May 3, 1995, in response to a referral from the Air Division, and pursuant to the National Oil and Hazardous Substance Pollution Contingency Plan, 40 CFR Part 9, and 300 \$300.405, Discovery or Notification in accordance with CERCLA section 104(e), the EPA Removal Program assigned an OSC to conduct a Site assessment on the current situation at the Johns Manville Manufacturing Plant Site.

As part of the Site assessment, 22 asbestos samples were collected. Samples within the building were documented with a high concentration of 80 percent for chrysotile, while amosite was found to be in the 40 percent range. Polychlorinated biphenyls (PCB's) were detected in soil (as a result of a leaking transformer outside the building) with a concentration of 485,000 parts per million (ppm). A leaking capacitor within the building had a PCB concentration of 730,000 ppm.

The abandoned facility has no operating fire suppression system. Water and electricity have been disconnected and the lines removed as part of a scrap iron salvage operation. A major salvage operation of all interior materials containing steel, copper pipe, aluminum and electrical wiring has occurred. As part of the assessment conducted by EPA on May 10 and 11, 1995, the following reports were reviewed: files from the following City of Nashua offices included; Fire Marshal's record and files, Fire Department's and city combined site records, and the Board of Health files. The PCB Compliance Inspection Report compiled by the State of NH was made available.

During the site assessment, approximately 500 containers, cylinders and tanks were scattered throughout the facility. In addition numerous transformers, capacitors, underground storage tanks, and piles of asbestos-containing materials, staged as a result of illegal asbestos abatement operations, during recent salvage operations were also observed.

Based on label information, analytical sample results and observation, materials at the Site contain hazardous substances. For details of the investigation, a Site Investigation Report is being prepared based on Site activities performed on May 10 & 11, 1995.

As a result of the inspection, EPA determined that a removal action was necessary and appropriate at this time based on substantial threat of release into the environment, and the imminent and substantial danger to public health and welfare presented by hazardous substances at the Site.

4. Release or Threatened Release into the Environment of a Hazardous Substance, Pollutant or Contaminant.

Hazardous substances at the Site, based on the Site assessment, labels, file review and EPA Site investigation and inventory documents are suspected to include, but not limited to the following: acetone, toluene, methyl ethyl ketone, n-butyl alcohol, ethyl glycol monoethyl ether, polychlorinated biphenyls, phenol, and asbestos. In addition numerous acids, caustics, oils, flammables and combustibles materials exist within the buildings.

The threat of a release occurring is imminent due to actions by vandals and/or weather. The Site situation is unstable. Due to the low flash point, flammable, and combustible nature, the materials at the Site pose a threat of fire and/or explosion. Should a fire occur, the asbestos materials within the building and the building materials containing asbestos would be released into the air. This could pose a health threat to residents living on adjacent properties and to others working in the vicinity.

The materials identified at the Site are hazardous substances as defined by section 101 (14) of CERCLA. These substances are toxic to humans through many routes of exposure (inhalation, ingestion and direct contact). Additionally, asbestos contamination may continue to spread via air borne distribution causing further contamination of the surrounding area.

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5. NPL Status

The Johns Manville Manufacturing Plant Site has not been given a rating pursuant to the Hazardous Ranking System (HRS) and is therefore not currently on the U.S. National Priorities List.

B. OTHER ACTIONS TO DATE

1. Previous Actions

On January 24, 1994, the Site was referred to the US EPA Removal Program by Kenneth Renoux, City Fire Marshal. On February 3, 1994, an EPA Removal Program Preliminary Assessment/Site Investigation (PA/SI) was performed. Based on the PA/SI Site Investigation, a closure memorandum was issued on March 8, 1995, in accordance with section 300.400 of the NCP and section 104(a), (b) of CERCLA, 42 U.S.C. § 9604(a), (b). The Removal Site Evaluation has led to the determination that a removal action is appropriate at this time. On February 3, 1994, the New Hampshire Department of Environmental Services (NHDES) requested that EPA take the lead for any cleanup necessary at the Site. However, after the flammable materials were removed by the potential responsible party (PRP) from the 40 Bridge Street Site to a new location at 37 Bridge Street, the City and State took the lead at the 40 Bridge Street Site, and EPA took the lead at the 37 Bridge Street Site.

On June 15, 1994, investigators from EPA's removal program and representatives from the Criminal Investigation Division (CID) Office arrived at the Site to execute a Federal Search Warrant. The warrant was issued to search for violations relating to the Clean Air Act under the EPA National Emissions Standards for Hazardous Air Pollutants (NESHAPS) involving asbestos, and the Resource Conservation and Recovery Act (RCRA), and to sample and document materials involving criminal actions by owner activities involved at the 40 Bridge Street Site. On October 19, 1994, an Action Memorandum was prepared to initiate a removal action at the 37 Bridge Street Site due to the failure by the PRP to initiate a cleanup. On December 9, 1994, the US EPA commenced a removal action at the 37 Bridge Street Site. The removal action was completed on March 1, 1995.

C. STATE and LOCAL AUTHORITIES ROLES

1. Local Actions to Date

On December 21, 1990, the City Board of Health (BOH) officials referred the Site to the NH Occupational Safety and Health Division (OSHA) office concerning probable violations involving

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asbestos releases during salvage operations. On January 4, 1991, the City issued a letter informing the owner that no building permits will be issued pending the receipt of documentation assuring that no asbestos hazard exist at the facility. This action was based on the lack of existing records substantiating and documenting that no asbestos hazards remain within the building. On January 12, 1994, the City issued an Emergency Order and Notice of Unsafe Structures. On January 25, 1994 the City through the State Superior Court issued a restraining order against the PRP. On January 28, 1994, the City Fire Marshal's office issued a memorandum to the State WMD, DES representatives, expressing health concerns to the exposure of asbestos involving the public as a result of several recent breaks into the facility. On February 4, 1994, the City Code Official issued a memorandum relating to portions of the roof structure as potentially dangerous. On November 28, 1994, the City installed an eight foot perimeter security fence at the facility to restrict Site access. On January 19, 1995, the City Fire Department issued a memorandum to the DES requesting assistance in mitigating recent spills, existing underground storage tanks, leaking transformers containing PCBs, and asbestos related issues at the abandoned facility. On February 9, 1995, the City coordinated the off-site removal of an existing 1000 gallon LPG tank. On April 7, 1995, the City issued an order to the present owner for the "demolition and removal" of a hazardous and unmaintained structure.

2. State Actions to Date

On January 3, 1991, the State of NH OSHA officials cited the on-site contractors performing salvage operations at the facility. Friable asbestos that was knocked loose and laying on the floor during equipment removal was documented in bulk samples as containing 60 percent chrysotile asbestos. OSHA noted that the equipment being moved out of the building may be contaminated posing a risk to the community. On October 3, 1992, the State of NH issued a letter to the PRP detailing conditions involving perimeter soil surfaces that "Warrants Action" under the State of NH Solid Waste Rules. On November 12, 1992, the State of NH sent a letter to the PRP's consultant approving Site Safety and Contingency Plan for upcoming perimeter surface corrective action. On March 10, 1993, the State of NH sent a letter to the City BOH and provided assistance for emergency contingency planning involving environmental concerns during a fire. On March 12, 1993, the State and local health officials visited the facility to discuss ongoing PRP activities. On July 28, 1993, the State of NH issued a letter to the PRP to coordinate a state inspection of the outside perimeter grounds. On December 14, 1993, a meeting took place involving State, City Health

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officials, and the PRP, concerning the inactivity of the PRP in addressing Site concerns. The issues involved: a fire safety plan; restricting homeless from utilizing the building; discouraging access to the unsafe roof; and, sealing off asbestos areas to prevent air borne migration of friable asbestos. On February 3, 1994, both the City and the NH DES requested that EPA take the lead for any cleanup necessary at the Site. However, after the flammable materials were removed by the PRP from the 40 Bridge Street Site to a new location at 37 Bridge Street, the City and State resumed the lead at the 40 Bridge Street Site, and EPA took the lead at the 37 Bridge Street Site. On April 26, 1995, the Site was brought to the attention of EPA's Air Division by the State of New Hampshire (NH) Air Resource Division as a result of a PCB leaking transformer at the facility. On May 23, 1995, at a strategy meeting in Concord, NH, State officials requested that EPA initiate an emergency removal action at the Site.

3. Potential for Continued State/Local Response

The Nashua Fire Department has continued to be the lead for the city and has conducted routine inspections and monitoring at the Site. The State will provide on-site personnel to assist the EPA in site review and evaluations. The State will also coordinate the disposal of oil related products located at the Site and address underground storage tanks.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

A. Threats to Public Health or Welfare

The Site is accessible to nearby residential areas creating a potential threat for exposure to humans from hazardous substances and pollutants contained in soil and air through dermal absorption, inhalation, and ingestion of PCBs and asbestos.

The Site is restricted by a chain-link fence, but the building is an attraction to unauthorized personnel. It is also a source for salvage scavengers.

B. Threats to Environment

The Site abuts the Nashua and Merrimack Rivers. Surface runoff from the Site enters the rivers which lie on the northerly and easterly side of the Site from area storm drains. Extensive soil contamination was observed. Hazardous substances identified on-site may pose an imminent and substantial endangerment to the

environment as a result of the runoff.

IV. ENDANGERMENT

Potential and actual exposure to hazardous substances at this Site through dermal absorption, inhalation, and ingestion may present an imminent and substantial endangerment to public health or welfare if not addressed by implementing the response actions selected in this Action Memorandum. Migration from the Site through surface migration may also pose an imminent and substantial endangerment to sensitive ecosystems if not addressed by implementing the response actions selected in this Action Memorandum.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed Action Description

The proposed Removal Action will include Two Phases.

PHASE I will include the immediate cleanup of the following:

- a. Coordinating the removal and disposal of all transformers and capacitors containing PCB oils.
- b. Coordinating the removal and disposal of all hazardous substances in bulk containers and cylinders located within the facility.
- c. Investigating the location and contents of all underground storage tanks.
- d. Sample and identify all tanks, impregnating vessels and lines utilized in the process, and other lines containing potential hazardous materials.
- e. Gather and dispose of approximately 200 bags of asbestos, asbestos waste piles and loose asbestos that is determined friable as a result of past steel salvage operations.
- f. Conduct an extent of contamination study to determine the nature and degree of contamination, and define the vertical, horizontal, and the extent of on/off-site migration of contamination.

PHASE II will be determined and initiated based on information generated by the PHASE I investigation results.

- a. Coordinate the removal and/or treatment and mitigate public exposure and off-site migration of the contaminants, if determined to pose a public health threat and exposure.

2. Contribution to Remedial Performance

There are no remedial actions currently planned for this Site.

3. Description of Alternative Technologies

No alternative technology is currently planned at this Site, but alternative technology will be evaluated after the extent of contamination study has been completed.

4. Applicable or Relevant and Appropriate Requirements (ARARs)

All applicable or relevant and appropriate requirements will be complied with to the extent practicable. The NH DES will be requested to identify State ARARs. The OSC will, to the extent practicable, incorporate them when they are made available.

5. Project Schedule

The Removal Action will take approximately six months to complete. On-site removal activities are expected to commence in late June 1995.

6. Estimated Costs

- EXTRAMURAL COSTS:

Regional Allowance Costs:

• ERCS Cleanup Contractor Cost	\$ 420,000
• Contingency Fund	<u>\$ 80,000</u>
Subtotal	\$ 500,000

Other Extramural Cost Not Funded
From Regional Allowance:

Other Extramural Costs:

• Technical Assistance Team	\$ 260,000
US EPA, ERT/REAC, Edison, NJ:	
• Engineering Support	<u>\$ 90,000</u>
Subtotal	\$ 350,000

TOTAL, EXTRAMURAL CONTINGENCY COST: \$ 850,000

- INTRAMURAL COSTS:

• EPA Regional Costs: (Direct and Indirect)	\$ 140,000
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TOTAL, INTRAMURAL COSTS: \$ 140,000

- TOTAL REMOVAL PROJECT ESTIMATE CEILING: \$ 990,000

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT
TAKEN

Delayed action will increase public health risks and endangerment posed by possible direct exposure to contaminants on-site.

VII. OUTSTANDING POLICY ISSUES

None.

VIII. ENFORCEMENT

Enforcement information is attached for internal EPA distribution only.

IX. RECOMMENDATION

The following factors were considered in determining the appropriateness of a Removal Action for the Johns Manville Manufacturing Plant Site, in Nashua, New Hampshire pursuant to section 300.415 (b)(2) of the NCP:

- (i) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants;
- (ii) Actual or potential contamination of drinking water supplies or sensitive ecosystems;
- (iii) Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release;
- (iv) High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate;
- (v) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released;
- (vi) Threat of fire or explosion;
- (vii) The availability of other federal or state response mechanisms to respond to the release; and,
- (viii) Other situation or factors that may pose a threat to public health or welfare or the environment.

I therefore recommend approval of this Removal Action. The total estimated project ceiling is \$990,000 of which \$500,000 is for extramural contractor costs.

APPROVAL: _____

DATE _____

DISAPPROVAL: _____

DATE _____



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203-0001

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MEMORANDUM



SDMS DocID 270181

DATE: July 29, 1996

SUBJ: Request for 12-Month Exemption, \$2 Million
Exemption/Ceiling Increase and Change in Scope of Response at the Johns Manville Corporation
Manufacturing Plant Site, Nashua,
New Hampshire - **Action Memorandum - Addendum**

FROM: Paul R. Groulx, On-Scene Coordinator
Emergency Planning and Response Branch
Site Evaluation and Response Section I

Paul R. Groulx

TO: Linda M. Murphy, Director
Office of Site Remediation & Restoration

THRU: Donald F. Berger, Chief
Emergency Planning and Response Branch

Donald F. Berger

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval for a 12-month exemption, a \$2 million exemption/ceiling increase and a change in the scope of the response to continue and complete the removal action described herein.

The On-Scene Coordinator (OSC) has identified a threat to human health, welfare, and the environment at the Johns Manville Corporation Manufacturing Plant Site (the "Site"). This request incorporates and updates information presented in the June 16, 1995 Action Memorandum (Attachment A).

The OSC has determined based on continued site evaluation and assessment that conditions at the Site continue to meet the criteria for a Removal Action under the National Contingency Plan (NCP), and continue to meet the statutory exemption criteria based on the emergency waiver in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, Section 104(c)(1), 42 U.S.C. Section 9604 (c)(1). This information was compiled between July 11 and October 20, 1995 and can be obtained in the document, "Status Report", dated October 20, 1995 by Roy F. Weston. This document is a summary of sample data generated by EPA, EPA Emergency Response Team (ERT) and Superfund Technical Assistance and Response Team (START) contractors. Additional time and funds are being requested to



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continue removal actions and address the source areas of contamination at the Site. This Change in Scope will mitigate the source of contamination. Approval of the request would raise the project ceiling to \$2,340,000, of which approximately \$1,200,000 are extramural costs.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID#: NHD001085372
Site ID#: 2J
Category: Time-critical

A. Site Description

The original Action Memorandum was signed on June 26, 1995 by John P. DeVillars, Regional Administrator. The OSC mobilized the Emergency Response Cleanup Services (ERCS) contractor to the Site on July 11, 1995.

The Site consists of portions (shown in Figure 1) of the abandoned former Johns Manville Corporation Manufacturing Plant, an asbestos product facility. Johns Manville Corporation began manufacturing operations at the Site in 1900 and continued until December, 1985. The company combined asbestos fibers with cement and produced sheets of insulating materials and industrial insulation products.

The Johns Manville Corporation, beset by lawsuits seeking cost recovery for clean-up and removal of asbestos products at sites throughout the country, sought protection in bankruptcy court. In December, 1987, the Nashua plant was sold. The Site buildings have not been used for any manufacturing activities since June 1990. The building condition has deteriorated due to lack of maintenance.

The 121,294 square foot (approximately 4 acres) parcel of land includes two vacant manufacturing facilities. The topography is generally level.

The Site is bordered:

north - Nashua River which flows into the Merrimack River.

east - an industrial complex being revitalized and the Merrimack River.

south - Bridge Street and a residential and light industrial area.

west - railroad tracks which separate the Site from a low income residential area.

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Census data shows that the area suffers many common urban ills - high unemployment, low educational attainment and income. The south and west residential areas are comprised of older milltown double decker apartments (80% are rentals).

The residential area which borders the south and west of the Site meets the environmental justice criterium in the following ways:

- 60% of these homes were built before 1939;
- 25% of the residents speak a language other than English;
- 18% of these homes are without telephone service;
- 14% of the housing units meet guidelines for overcrowding.

The population within a one-mile radius of the Site is approximately 13,440. Within this radius, there are 13 schools (day care, kindergarten, elementary and high schools), 1 hospital and 13 housing units (elderly, low income and half way homes).

Due to the recent severe winter, considerable structural damage impacted the structural integrity of the buildings; a large portion of one roof collapsed, subsequently damaging the baghouse ventilation system which in turn released friable asbestos to the collapsed area. As a result of roof leakage and the age of the building, large sections of floors along with roof sections are deteriorating.

As a result of inactivity and the presence of salvageable material at the abandoned property, it has been trespassed upon by area youth and scrap scavengers.

B. EPA Action To date

EPA removed the following waste during the initial Removal Action in 1995:

- 500 containers of flammable liquids and other hazardous materials;
- sludge from six underground tanks;
- PCB-contaminated oil;
- one leaking transformer containing 630 gallons of PCB oil;
- eight capacitors containing PCB oil;
- 140 cubic yards of friable asbestos waste resulting from illegal asbestos operations; and
- 600 cubic yards of combustible asbestos-contaminated waste material.

A status report of the site and facility conditions was prepared by Roy F. Weston on October 20, 1995 to summarize the data collected during the initial Removal Action. The report is titled, Status Report of the Johns Manville Company Site. See summary table below.

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C. Summary Sampling Data:

Sample description	Location	% Total Asbestos*
Interior floor dust	Bldg. #40	2 -20%
Machinery	Bldg. #40	30%
Baghouse ventilation system	Roof pipe contents	40%
Roofing felt	Bldg. #10 & 40	50%
Building wall materials	Bldg. #10 & 40	45-60%
Interior inside walls/dust	Building #10 J074(3)	25-80% 5-10% amosite
Surface Soil - Exterior	Building Perimeters	▲ 40% ◆ 15-20% ▼ 50%

*Percent friable concentration of chrysotile performed by Polarized Light Microscopy.

- ▲ TRC coring data (Assessment Report) - 1-3' depth
- ◆ RF Weston Status report- Sanders Street (surface)
- ▼ RF Weston Status report- Building #40 perimeter (surface)

The final phase of planned work involved the ERCS contractor preparing an emergency contingency plan for demolition which assessed the remaining surface hazards, structural problems, and subsurface contamination. ERCS delivered the Final Work Plan on May 20, 1996. The plan contains a scope of work for demolition and restoration of the property with related cost estimates. Costs for complete demolition of the buildings, disposal of the debris at an EPA approved landfill, and restoration of the property are estimated at approximately \$5,300,000.

In order to solicit additional funding from other sources, EPA Region I staff proposed the Site to EPA Headquarters in May for priority funding of the above-described removal actions.

D. National Priority List (NPL) Status

The Johns Manville Site is not currently listed on the NPL, nor is it expected to be.

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E. State and Local Authorities' Roles

The State of New Hampshire Department of Environmental Services, (NHDES) Waste Management Division (the "State") and the City of Nashua (the "City") have been joint shareholders during the initial Removal Action. They both provided in kind financial support. The State provided contractor services by pumping out six underground storage tanks, and disposing of their contents. The City has provided their landfill for disposal of asbestos waste. The OSC will continue to coordinate site activities with State and City officials.

- January 12, 1994 - the City of Nashua issued an Emergency Order and Notice of Unsafe Structures to current owner.
- November 28, 1994 - the City installed an eight foot perimeter security fence at the facility to restrict Site access.
- April 7, 1995 - the City issued an order to the present owner for the "demolition and removal" of a hazardous structure.
- April 26, 1995 - NHDES officials requested that EPA initiate an emergency removal action.
- June 27, 1996 - EPA received a letter of commitment from NHDES documenting its continued support to the cleanup of the Site. The letter stated that NHDES has provided over \$100,000 of in kind support, e.g., funding the decontamination of six underground storage tanks, and has agreed to perform the long term inspection of the Site upon completion of the removal action.
- July 12, 1996 - EPA received a letter of commitment from the City documenting its continued support to the cleanup of the Site. The letter stated that the City has pledged over \$1.5 million of in kind support to the project. This includes waiver of permit and tipping fees related to the disposal of the asbestos at the Four Hills Landfill, a waiver of all costs in the construction of an asbestos disposal cell at the landfill, and the coordination and support of all public services departments as required. Currently the City is maintaining the perimeter fence and the police are monitoring the Site. Fire Department personnel perform internal security sweeps on a weekly basis.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT

Section 300.415(b)(2) of the National Oil and Hazardous Substance Pollution Contingency Plan, 40 CFR 300, et seq, outlines the factors which should be considered in determining the appropriateness of a removal action. Sections 300.415 (b)(2)(i), (iv), (v), and (vii) are directly applicable to the situation at the Johns Manville Site.

300.415 (b)(2)(i) "Actual or potential exposure to nearby human population, animal, or food chain from hazardous substances or pollutants or contaminants"

The Site is near residential areas and creates a potential threat for exposure to humans from observed friable asbestos, a listed hazardous substance and pollutant. Asbestos is in and on the building walls, floors, and surrounding surface soil as a result of past construction and manufacturing practices. Baghouse ventilation pipes broken when the roof collapsed have released friable asbestos.

Exposure of humans to asbestos can result in asbestosis, a chronic and debilitating lung disease, and the development of mesothelioma, a form of cancer. Asbestos related malignancies may exhibit a latency period of up forty years.

The Agency for Toxic Substance and Disease Registry (ATSDR) issued a Health Consultation on February 29, 1996 for the Johns Manville Property Site in coordination with the New Hampshire Division of Public Health Services. The report stated that the Site posed a public health hazard because of physical and chemical hazards due to the deteriorated condition of the buildings and their imminent collapse.

300.415 (b)(2)(iv) "High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate"

Extremely high levels of asbestos are present in the broken baghouse ventilation pipes, in the soil and within the building walls. Sampling results from the 1995 report document extensive contamination throughout the site. Asbestos is susceptible to migration via the wind and runoff action generated by precipitation.

300.415 (b)(2)(v) "Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released"

Winds and rain have a degrading effect on the decomposition of the asbestos board throughout the facility, creating an exterior friable condition and enabling potential dispersion of the contaminant.

300.415 (b)(vii) "The availability of other appropriate Federal or State response mechanisms to respond to the release"

The NHDES and the City of Nashua do not have the resources to undertake a removal at this time.

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IV. EXCEPTION FROM STATUARY LIMITS

The Site continues to meet the emergency exemption criteria in Section 104(c) of CERCLA 42 U.S.C. Section 9604(c), as amended, to exceed the \$2 million and 12-month statutory limit for Removal Actions:

Section 104(c)(1)(i) "continued response action are immediately required to prevent, limit, or mitigate an emergency"

Immediate stabilization of the contaminated areas of concern is needed to prevent the spread of the contaminants into the environment. Asbestos-contaminated surface soils are present, building surface materials are friable, and the damaged pipes within the baghouse ventilation system provide the opportunity for release of friable asbestos to the atmosphere. The facility is within a residential area. It is a potential source for an air release episode due to the high winds generated from the nearby open river area. This action is required to prevent or mitigate contamination of the environment.

Section 104(c)(1)(ii) "there is an immediate risk to the public health or welfare or the environment"

The potential for release of airborne asbestos fibers from the damaged baghouse ventilation system and the asbestos corrugated building exterior panels and siding poses a direct contact, ingestion or inhalation threat to individuals entering the Site, the surrounding area, or the residential community and so poses an immediate risk to the public health.

Section 104(c)(1)(iii) "assistance will not be otherwise be provided on a timely basis"

Neither the State nor the City have the resources required to undertake a cleanup action of the magnitude needed at this Site.

V. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from the Site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

VI. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions Description

The OSC estimates ERCS contractor costs for complete demolition of the buildings, disposal of



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the debris at Nashua's landfill (at no cost to the government), and restoration of the property to be \$3,800,000. Due to the limited ERCS Regional Removal Allowance, a funding allocation of only \$650,000 is available through the Region at this time. Therefore, the proposed continuation of the Removal Action will be performed as a phased cleanup.

For clarity, the phase addressed by this document will be called Phase 2. The primary objectives of Phase 2 are to:

- (1) perform air monitoring on and off-site to determine air quality during the demolition activities;
- (2) mitigate the direct contact, inhalation and ingestion threats posed by the asbestos contamination from Building No. 40's (see Figure 1) collapsed roof and its related super-structure baghouse systems by partial demolition (as a minimum, whatever is required to get to the baghouse systems) and off site disposal at the city's landfill;
- (3) dismantle and dispose off site of Building No. 10, which is structurally unsound and heavily contaminated with asbestos, and its contents;
- (4) cap asbestos-contaminated soil; and
- (5) decontaminate the disassembled metal beams, related steel equipment and baghouse ventilation-related systems where possible. Effectiveness of decontamination will be determined by a combination of visual inspection and wipe sampling to determine if asbestos is still present.

Phase 2 will take approximately four months to complete. On-site removal activities are expected to commence in mid August 1996.

Phase 3 and other related cleanup phases to complete the demolition of Building No. 40 and the restoration and capping of the site to enable it to be productively used will follow if and when funding becomes available.

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B. Estimated Costs

EXTRAMURAL COSTS	Current Ceiling	Cost to Date	Proposed Ceiling
<u>Regional Allowance Costs:</u>			
- ERCS Cleanup Contractor	\$ 500,000	\$ 443,457	\$1,150,000
- Contingency costs	\$ - 0 -	\$ - 0 -	\$ 50,000
<u>Other Extramural Costs Not Funded From Regional Allowance:</u>			
- START Costs	\$ 260,000	\$ 73,200	\$ 300,000
- ERT/READ Costs	\$ 90,000	\$ 3,306	\$ 90,000
- Contingency Costs	\$ - 0 -	\$ 100,000	\$ 100,000
TOTAL, EXTRAMURAL COSTS and CONTINGENCY	\$ 850,000	\$ 619,963	\$1,690,000
INTRAMURAL COST:			
- Direct Costs (HQ and Region)	\$ 80,000	\$ 123,165	\$ 350,000
- Indirect Costs	\$ 60,000	\$ 57,248	\$ 200,000
- Contingency Costs	\$ - 0 -	\$ - 0 -	\$ 100,000
TOTAL PROJECT CEILING	\$ 990,000	\$ 800,376	\$2,340,000

C. Contribution to Remedial Performance

There are no plans for long term Remedial Action at the Johns Manville Site. Removal Action shall, to the extent practicable, contribute to the efficient performance of any anticipated long-term remedial action.

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D. Compliance with ARARs

The proposed Removal Action set forth in this memorandum will comply with applicable, relevant, and appropriate environmental and health requirements (ARARs) to the extent practicable considering the exigencies of the situation, including requirements of the Resource Conservation and Recovery Act. The OSC has consulted with appropriate EPA staff on the proposed action.

The OSC has consulted verbally with State officials on the proposed actions, and requested in a letter dated June 30, 1995 that NHDES supply written notification regarding statutes and regulations that the State believed are potential ARARs for the Johns Manville Site. NHDES replied by letter on July 10, 1995, listing the ARARs. The OSC will keep NHDES updated throughout the Removal so that any ARARs not yet identified can be addressed.

VII. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

If no action is taken or the proposed action is further delayed, inhalation and ingestion threats posed by the asbestos at the site to the nearby residents and to workers will continue. Furthermore, the site will not be useable for any type of future development.

VIII. ENFORCEMENT

The EPA Removal Enforcement group has been provided with all the background information available to pursue any and all enforcement actions pertaining to the Johns Manville Site. There has been no additional enforcement action since the 1995 funding request was approved. There are no identifiable potentially responsible parties able to adequately perform the action proposed in this memorandum. The previous enforcement strategy still applies.

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IX. RECOMMENDATION

Since the conditions at the Site meet:

the criteria set forth in 40 CFR 300.415 of the National Oil and Hazardous Substance Pollution Contingency Plan,

the statutory criteria for a continued removal response,

the CERCLA section 104(c) consistency exemption from the 12-month limitation, and

the emergency exemption from the \$2 million limitation,

I recommend your approval for the Change in Scope and the \$2 million exception for the proposed Removal Action.

The total project ceiling, if approved, will be \$2.34 million, of which \$1,200,000 is for extramural cleanup contractor costs. The latter amount includes \$500,000 from FY 95 funds and the current \$700,000 (including \$50,000 contingency) from the FY 1996 Regional removal allowance.

APPROVAL: Spide M. Mupf DATE July 30, 1994

DISAPPROVAL: _____ DATE _____

Attachments:

Attachment A: Action Memorandum dated June 16, 1995

Figure 1 - Johns Manville Site Property Line